

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SCOTT ANDREW THOMAS,

8:07CV401

Plaintiff,

v.

**MEMORANDUM
AND ORDER**

DOUGLAS COUNTY
DEPARTMENT OF
CORRECTIONS MEDICAL
DEPARTMENT,

Defendant.

This matter is before the court on Plaintiff's Motion to Extend Time to Amend Complaint. (Filing No. 10.) In his Motion, Plaintiff seeks additional time to amend his Complaint in accordance with the court's previous orders. (*Id.*) Plaintiff also requests a copy of "the exhibits" and "more specific instructions as to what needs to be changed." (*Id.*)

For good cause shown, Plaintiff is permitted until May 22, 2008 to amend his Complaint. Plaintiff is proceeding pro se in this matter. The court cannot act as Plaintiff's attorney and therefore cannot give Plaintiff legal advice regarding "what needs to be changed." The court instead refers to Plaintiff to the previous Memorandum and Order filed in this matter.

With regard to Plaintiff's request for copies, the court is unclear regarding what documents Plaintiff requests. Regardless, the statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment. 28 U.S.C. § 1915; *see also Haymes v. Smith*, 73 F.R.D. 572, 574 (W.D. N.Y. 1976) ("The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant's

action.”) (citing *Tyler v. Lark*, 472 F.2d 1077, 1078 (8th Cir. 1973)). If Plaintiff requires copies of court documents, he should contact the Clerk of the court to determine the proper method of requesting and paying for copies.

IT IS THEREFORE ORDERED that:

1. Plaintiff’s Motion to Extend Time to Amend Complaint (filing no. 10) is granted in part and denied in part, in accordance with this Memorandum and Order.

2. Plaintiff shall have until **May 22, 2008** to amend his Complaint to clearly state a claim upon which relief can be granted against Defendant Douglas County Department of Corrections Medical Department or any other Defendant. In the absence of Plaintiff’s filing an amended complaint, this case will be dismissed without further notice.

3. In the event that Plaintiff files an amended complaint, Plaintiff shall restate the allegations of the current Complaint (filing no. 1), and any new allegations. Failure to consolidate all claims into one document may result in the abandonment of claims.

4. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: Review amended complaint on **May 22, 2008** and dismiss if not filed.

April 4, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge